



General Assembly

February Session, 2012

Raised Bill No. 319

LCO No. 1658

01658_____INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

***AN ACT EXEMPTING CERTAIN INDIVIDUALS FROM CASUALTY
ADJUSTER LICENSING REQUIREMENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-792 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) (1) No person may act as an adjuster of casualty claims for any
4 insurance company or firm or corporation engaged in the adjustment
5 of casualty claims unless such person has first secured a license from
6 the commissioner, and has paid the license fee specified in section
7 38a-11, for each two-year period or fraction thereof. Application for
8 such license shall be made as provided in section 38a-769. [The
9 commissioner may waive the requirement for examination in the case
10 of any applicant for a casualty claims adjuster's license who is a
11 nonresident of this state and who holds an equivalent license from any
12 other state.] Any such license issued by the commissioner shall be in
13 force until the thirtieth day of June in each odd-numbered year unless
14 sooner revoked or suspended. The [license] person may, [in] at the
15 discretion of the commissioner, [be renewed] renew the license
16 biennially upon payment of the fee specified in section 38a-11. [The

17 commissioner may waive the examination required under section
18 38a-769, in the case of an applicant who at any time within two years
19 next preceding the date of application has been licensed in this state
20 under a license of the same type as the license applied for.]

21 (2) The commissioner may waive the examination required under
22 section 38a-769, in the case of any applicant for a casualty adjuster's
23 license that (A) is a nonresident of this state or has its principal place of
24 business in another state, and holds an equivalent license from any
25 other state, or (B) at any time within two years next preceding the date
26 of application has been licensed in this state under a license of the
27 same type as the license applied for.

28 (b) The commissioner may prescribe reasonable regulations, in
29 accordance with the provisions of chapter 54, governing the licensing
30 of casualty adjusters and the adjustment of casualty claims.

31 (c) Any person who violates any provision of this section shall be
32 fined not more than two thousand dollars or imprisoned not more
33 than one year or both.

34 (d) The provisions of this section shall not apply to any: [member]

35 (1) (A) Individual who (i) collects claim information from or
36 furnishes claim information to insureds or claimants, and (ii) conducts
37 data entry including data entry into an automated claims adjudication
38 system, provided such individual is an employee of a casualty adjuster
39 licensed in this state and not more than twenty-five such individuals
40 are under the supervision of such casualty adjuster or an insurance
41 producer licensed in this state and employed by such casualty adjuster.

42 (B) For purposes of this subdivision, "automated claims adjudication
43 system" means a preprogrammed computer system, designed for the
44 collection, data entry, calculation and final resolution of cellular mobile
45 telephone claims, that (i) is used only by a supervised individual, a
46 casualty adjuster licensed in this state or an insurance producer

47 licensed in this state, in accordance with subparagraph (A) of this
 48 subdivision, (ii) complies with all applicable claims payment
 49 requirements under title 38a, and (iii) is certified as complying with the
 50 provisions of this subdivision by an individual who is (I) an officer of
 51 the business entity licensed as a casualty adjuster in this state, and (II)
 52 a casualty adjuster licensed in this state;

53 (2) Insurance producer licensed in this state and authorized by an
 54 insurance company to adjust claims in this state on behalf of such
 55 company;

56 (3) Managing general agent, as defined in section 38a-90a,
 57 authorized by an insurance company to adjust claims in this state on
 58 behalf of such company;

59 (4) Attorney-in-fact of a reciprocal insurer authorized by such
 60 insurer to adjust claims in this state on behalf of such insurer; and

61 (5) Member of the bar of this state in good standing who is engaged
 62 in the general practice of the law.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2012	38a-792
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Statement of Purpose:

To exempt certain individuals from casualty adjuster licensing requirements.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]